

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

**Antonio Solis, Jose Solis, and
Juan Rangel**, individually and on
behalf of all other similarly situated,

Plaintiffs,

v.

**Hilco Redevelopment LLC, HRE
Crawford LLC, HRP Exchange 55
LLC, MCM Management Corp.,
Controlled Demolition, Inc., and
Marine Technology Solutions
LLC,**

Defendants.

No. 20 C 2348

Hon. Martha M. Pacold,
District Judge

Hon. Sunil R. Harjani,
Magistrate Judge

Joint Status Report

Pursuant to the Court's order of March 29, 2021 (dkt. 121), the parties jointly submit the following status report, stating as follows:

1. The parties have continued the meet-and-confer process with respect to certain discovery responses. Plaintiffs also continue to be engaged in the meet-and-confer process regarding responses to subpoenas served on third parties.

2. The parties have exchanged drafts of an ESI protocol and are continuing to meet and confer about open issues. The parties have significantly narrowed the disputed issues with respect to the ESI protocol and expect that

they will either reach an agreement or be at impasse before the upcoming June 3, 2021 status conference.

3. Defendants have proposed a confidentiality protective order, and the parties have continued the meet-and-confer process regarding this proposal. Defendants are currently reviewing Plaintiffs' comments to Defendants' proposed order. To facilitate document production while these discussions are ongoing, the parties have agreed to treat as confidential documents so designated even before entry of a confidentiality order.

4. Defendant Marine Technology Solutions ("MTS") provided Plaintiffs with the waiver to GoDaddy.com that it had agreed to provide during the April 2, 2021 hearing on Plaintiffs' motion to compel. *See* Dkt. 122. Plaintiffs promptly served a subpoena on GoDaddy, and they recently received certain responsive documents. Namely, GoDaddy produced account information that suggests MTS may have deactivated relevant email accounts as recently as April of 2021. GoDaddy's production did not include any emails, but GoDaddy has explained to Plaintiffs' counsel that GoDaddy was actually only an intermediary for MTS's email accounts, and that any emails would be held by Microsoft. On May 26, 2021, MTS provided Plaintiffs with a waiver for Plaintiffs to obtain MTS's emails from Microsoft. Now that Plaintiffs have this waiver, they will be serving a subpoena on Microsoft. If Plaintiffs learn through that subpoena that emails were deleted after this case was filed, they may need to

seek further relief from the Court. At this point, however, they are unsure whether relevant emails still exist, and they are not yet asking for any relief from the Court.

5. The parties have not engaged in settlement discussions in this case.

May 27, 2021

Respectfully submitted,

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